

2001 DRAFTING REQUEST**Senate Amendment (SA-SB55)**Received: **06/06/2001**Received By: **rkite**Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**By/Representing: **Hotynski**This file may be shown to any legislator: **NO**Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - miscellaneous**

Extra Copies:

Submit via email: **NO**

Requester's email:

Pre Topic:

LFB:.....Hotynski -

Topic:

Limit application of prohibition of release of personal information by DNR

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rkite 06/08/2001	hhagen 06/08/2001	rschluet 06/08/2001	_____	lrb_docadmin 06/08/2001		
/2	rkite 06/09/2001	hhagen 06/09/2001	pgreensl 06/10/2001	_____	lrb_docadmin 06/10/2001		

FE Sent For:

06/08/2001 04:17:54 PM

Page 1

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/1	rkite 06/08/2001	hhagen 06/08/2001 12 hnh 6/9/01	rschluet 06/08/2001 6/10 PS	<u>6/10</u> <u>self</u>	lrb_docadmin 06/08/2001		

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<END>

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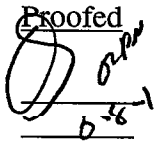
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/?	rkite	1, hnh 4/8/01	 6-8-1	 6-8-1			

FE Sent For:

<END>

NATURAL RESOURCES – DEPARTMENTWIDE

Open Records

Motion:

Move to include the provisions of LRB 2670/P1 that would limit the effect of 1999 Act 88 provisions that allow an individual to elect to keep certain personal information obtained by DNR from being released to only apply to computerized lists, including those generated through the automated license issuance system (ALIS) and the boat, ATV, and snowmobile registration system (BATS). Further, clarify that DNR is not required to restrict access to lists comprised of individuals or property listings involved in or related to violations of environmental regulations.

Note:

As enacted under 1999 Act 88, DNR is required to allow anyone providing personal information to the Department the opportunity to opt out of any list that the Department furnishes to another person. As enacted, this would include property listed for environmental violations as well as lists maintained by individual DNR employees.

MO#		
Burke	<input checked="" type="checkbox"/>	N
Decker	<input checked="" type="checkbox"/>	N
Moore	<input checked="" type="checkbox"/>	N
Shibilski	<input checked="" type="checkbox"/>	N
Plache	<input checked="" type="checkbox"/>	N
Wirth	<input checked="" type="checkbox"/>	N
Darling	<input checked="" type="checkbox"/>	N
Welch	<input checked="" type="checkbox"/>	N
Gard	<input checked="" type="checkbox"/>	N
Kaufert	<input checked="" type="checkbox"/>	N
Albers	<input checked="" type="checkbox"/>	N
Duff	<input checked="" type="checkbox"/>	N
Ward	<input checked="" type="checkbox"/>	N
Huebsch	<input checked="" type="checkbox"/>	N
Huber	<input checked="" type="checkbox"/>	N
Coggs	<input checked="" type="checkbox"/>	N

←
15-1
Pass

2001

Date (time)
needed

soon

LRB b 0640, 1

**LFB BUDGET AMENDMENT
[ONLY FOR LFB]**

RNK: hnh

D-Note

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**LFB AMENDMENT
TO 2001 ASSEMBLY BILL 144 AND 2001 SENATE BILL 55**

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

At the locations indicated, amend the bill as follows:

✓
✓
#. Page 625, line 4.: after that line insert:
Insert A

#. Page 1801, line 21.: after that line insert:
Insert B
(End)

~~#. Page ..., line ...~~

~~#. Page ..., line ...:~~

~~#. Page ..., line ...:~~

~~#. Page ..., line ...:~~

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Insert A

1 AN ACT to amend 23.45 (1) (a), 23.45 (1) (b), 23.45 (2), 23.45 (3) and 23.45 (4) of
2 the statutes; relating to: prohibiting the disclosure of certain personal
3 information by the department of natural resources.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version of the draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 " SECTION 11 (1066C) (23.45 (1) (a) of the statutes is amended to read:

5 23.45 (1) (a) "Approval" means any type of approval or authorization issued by
6 the department including a license, permit, certificate, card, stamp or tag through
7 an automated system established by the department for the issuance of approvals
8 under s. 29.024, any registration issued under s. 23.33 (2) or 350.12, or any
9 registration or certificate of number issued under s. 30.51 or its agents

SECTION 2

1066g. x
SECTION 23.45 (1) (b) of the statutes is amended to read:

23.45 (1) (b) "List" means ~~information a computer generated list~~ compiled or maintained by the department ~~from information provided to the department by individuals who have applied for an approval and that contains the personal identifiers of 10 or more of those individuals.~~ or for registration
or a registration

Insert 5
2-5 6
1066p. x
SECTION 23.45 (2) of the statutes is amended to read:

23.45 (2) If a form that the department ~~requires~~ an individual to complete in order to obtain an approval ~~or other privilege from the department or to obtain a product or service from the department~~ requires the individual to provide any of the individual's personal identifiers, the form shall include a place for the individual to declare that the individual's personal identifiers obtained by the department from the information on the form may not be disclosed on any a list that the department furnishes to another person. or its agents require
or its agents

1066f. x
SECTION 23.45 (3) of the statutes is amended to read:

23.45 (3) If the department ~~requires~~ an individual to provide, by telephone or other electronic means, any of the individual's personal identifiers in order to obtain an approval ~~or other privilege from the department or to obtain a product or service from the department~~, the department shall ask the individual at the time that the individual provides the information if the individual wants to declare that the individual's personal identifiers obtained by telephone or other electronic means may not be disclosed on any a list that the department furnishes to another person. or a registration
or its agents

1066x. x
SECTION 23.45 (4) of the statutes is amended to read:

23.45 (4) The department shall provide to an individual upon request a form that includes a place for the individual to declare that the individual's personal

1 identifiers obtained by the department may not be disclosed on any a list that the
2 department furnishes to another person.))

(END)

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0640/lins.
RNK.....

INSERT 2-5

1066L. ✓
SECTION 23.45 (1) (d) of the statutes is created to read:

23.45 (1) (d) "Registration" means any registration documentation, as defined
in s. 23.33 (1) (jn) or s. 350.01 (10) ⁺ ~~10~~, or certification or registration documentation,
_{50 (3b)}
as defined in s. 30.42 (3) (b), issued by the department or its agents.

INSERT B

h
cc (3) **PERSONAL IDENTIFIERS.** The treatment of section 23.45 (a), (b), and (d) and
(2), (3), and (4) of the statutes first applies to individuals who provide their personal
identifiers to the department of natural resources or its agents on the effective date
of this subsection.))

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0640/1dn

RNK....h

Date

Rebecca Hotynski:

Please note that the definition of "registration" as created in s. 23.45 (1) (d) of this ~~draft~~ [✓] incorporates definitions that were created in the budget bill. I have incorporated those definitions for consistency and to ensure that all ATV, boat, and snowmobile registration documents are covered under the ~~draft~~ ^{amendment}.

Also, I have included an initial applicability provision to make clear that the proposed changes to current law only apply to individuals who furnish personal information to DNR on or after the effective date of the budget act. Without this provision, DNR would be able to release the personal information of persons who, before the effective date of the proposed changes, requested that their information not be released.

Please let me know if you have any questions.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0640/1dn
RNK:hmh:rs

June 8, 2001

Rebecca Hotynski:

Please note that the definition of "registration" as created in s. 23.45 (1) (d) of this amendment incorporates definitions that were created in the budget bill. I have incorporated those definitions for consistency and to ensure that all ATV, boat, and snowmobile registration documents are covered under the amendment.

Also, I have included an initial applicability provision to make clear that the proposed changes to current law only apply to individuals who furnish personal information to DNR on or after the effective date of the budget act. Without this provision, DNR would be able to release the personal information of persons who, before the effective date of the proposed changes, requested that their information not be released.

Please let me know if you have any questions.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

Per Daryl (LFB)

take out initial app.

we discussed problem that certain people have requested that their id.'s not be disclosed & now DNR will disclose them without being required to tell them
Daryl said that because initial app was not in the draft that is the basis for the motion, it should come out



1 soon

State of Wisconsin
2001 - 2002 LEGISLATURE

12
LRBb0640/3

RNK:hmh:rs

(stays)

LFB:.....Hotynski – Limit application of prohibition of release of personal information by DNR

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 625, line 4: after that line insert:

3 “**SECTION 1066c.** 23.45 (1) (a) of the statutes is amended to read:

4 23.45 (1) (a) “Approval” means any ~~type of approval or authorization~~ issued by
5 the department ~~including a license, permit, certificate, card, stamp or tag or its~~
6 agents through an automated system established by the department for the issuance
7 of approvals under s. 29.024.

8 **SECTION 1066g.** 23.45 (1) (b) of the statutes is amended to read:

9 23.45 (1) (b) “List” means ~~information~~ a computer generated list compiled or
10 maintained by the department from information provided to the department by

1 individuals who have applied for an approval or for registration and that contains
2 the personal identifiers of 10 or more of those individuals.

3 **SECTION 1066L.** 23.45 (1) (d) of the statutes is created to read:

4 23.45 (1) (d) "Registration" means any registration documentation, as defined
5 in s. 23.33 (1) (jn) or s. 350.01 (10t), or certification or registration documentation,
6 as defined in s. 30.50 (3b), issued by the department or its agents.

7 **SECTION 1066p.** 23.45 (2) of the statutes is amended to read:

8 23.45 (2) If a form that the department ~~requires~~ or its agents require an
9 individual to complete in order to obtain an approval ~~or other privilege from the~~
10 ~~department or to obtain a product or service from the department~~ or a registration
11 requires the individual to provide any of the individual's personal identifiers, the
12 form shall include a place for the individual to declare that the individual's personal
13 identifiers obtained by the department or its agents from the information on the form
14 may not be disclosed on ~~any~~ a list that the department furnishes to another person.

15 **SECTION 1066t.** 23.45 (3) of the statutes is amended to read:

16 23.45 (3) If the department ~~requires~~ or its agents require an individual to
17 provide, by telephone or other electronic means, any of the individual's personal
18 identifiers in order to obtain an approval ~~or other privilege from the department or~~
19 ~~to obtain a product or service~~ or a registration from the department, the department
20 or its agents shall ask the individual at the time that the individual provides the
21 information if the individual wants to declare that the individual's personal
22 identifiers obtained by telephone or other electronic means may not be disclosed on
23 ~~any~~ a list that the department furnishes to another person.

24 **SECTION 1066x.** 23.45 (4) of the statutes is amended to read:

1 23.45 (4) The department shall provide to an individual upon request a form
2 that includes a place for the individual to declare that the individual's personal
3 identifiers obtained by the department or its agents may not be disclosed on ~~any~~ a
4 list that the department furnishes to another person.”.

5 **2.** Page 1801, line 21: after that line insert:

6 “(3h) PERSONAL IDENTIFIERS. The treatment of section 23.45 (1)(a), (b), and (d)
7 and (2), (3), and (4) of the statutes first applies to individuals who provide their
8 personal identifiers to the department of natural resources or its agents on the
9 effective date of this subsection.”.

10

(END)

LFB:.....Hotynski – Limit application of prohibition of release of personal information by DNR

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3 **SECTION 1066L.** 23.45 (1) (d) of the statutes is created to read:

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19 ~~to obtain a product or service~~ or a registration from the department, the department
20 or its agents shall ask the individual at the time that the individual provides the
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23 any a list that the department furnishes to another person.

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1 23.45 (4) The department shall provide to an individual upon request a form
2 that includes a place for the individual to declare that the individual's personal
3 identifiers obtained by the department or its agents may not be disclosed on any a
4 list that the department furnishes to another person.”.

5 (END)